

U.S. Department of Labor

Mine Safety and Health Administration
1100 Wilson Boulevard
Arlington, Virginia 22209-3939



JAN 5 2009

MEMORANDUM FOR FELIX A. QUINTANA

Administrator for Metal and
Nonmetal Mine Safety and Health

FROM:

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SUBJECT:

Fatality Review Committee Decision on Chargeability

Case No.: M-2008-34 [REDACTED]

Deceased: [REDACTED]

Date of Incident: April 29, 2008

Date of Death: April 29, 2008

Operator: Hanson Aggregates
Southeast, Inc.

Mine: Sandy Flats

Decision: Not Chargeable

In a unanimous decision, the Fatality Review Committee has determined that the death of [REDACTED] should not be charged to the mining industry. MSHA's investigation revealed that [REDACTED] body was found in a pond at the Sandy Flats mine. He was not a mine employee and was not authorized to be on mine property. [REDACTED] had left a letter to his brother and an audio recording describing his plan to kill himself. A Sargeant with the local Sheriff's Department stated that [REDACTED] had carried out the plan described in the recording.

Based on the results of MSHA's investigation, the committee members concluded that [REDACTED] committed suicide and that his death should not be charged to the mining industry.

cc: Richard E. Stickler
John Pallasch
Robert M. Friend